IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
Writ Petition No.3298 of 1997

Shri Ratilal Rangnath Bhosale
& Ors. .. .. Petitioners.

Vs.

The State of Maharashtra & Ors. .. Respondents

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Ms Kanchan S. Kambli i/b Shri V.M.Thorat for the petitioners.

Shri C.R.Sonawane, AGP for respondents.

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CORAM : R.M.S.KHANDEPARKAR &
S.R.SATHE, JJ.

DATED : 21ST APRIL, 2006

P.C.

1. Inspite of repeated query to the learned advocate appearing for the petitioners, whether she wants to make any submission on merits of the case, she answered that Shri Thorat, Advocate, will appear and argue the matter. The petition relates to the year 1997 and has been adjourned on many occasions at the request of the parties. By order dated 23rd February, 1998, while issuing rule and granting interim relief, this Court had passed the following

order.

> "In view of the said Govt.Resolutions/letters, the petitioners are directed to approach either the second respondent Collector or the third respondent the Chief Executive Officer by the end of March, 1998. In the event of the petitioners approaching the said respondents, they are directed to consider the question of offering alternative employment to the petitioners in accordance with the said Govt.Resolution /letter as expeditiously as possible and preferably by the end of May, 1998."

2. The learned advocate appearing for the petitioner repeatedly made submission that she wants to ascertain about the progress done in the matter and regarding the representation, if any, made by the petitioners. Liberty to the petitioners to make necessary representation was granted in February, 1998. We are in the year 2006. If the petitioners have not contacted their advocate and have not informed about the representation being made and the progress of the matter, then the petitioners alone should be blamed, but that cannot be a justification

for adjournment of the matter any further. Sufficient opportunity was given to the petitioners. Even on the last date of hearing i.e. 24th March, 2006, the matter was adjourned at the request of the petitioners.

3. In the circumstances, in the absence of submissions being made on behalf of the petitioners regarding merits of the case, the petition is liable to be dismissed for non prosecution and accordingly is hereby dismissed. Rule stands discharged with no order as to costs.

(R.M.S.KHANDEPARKAR, J)

(S.R.SATHE, J)